

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THE OFFICIAL COMMITTEE  
OF UNSECURED CREDITORS OF  
ALLEGHENY HEALTH, EDUCATION  
AND RESEARCH FOUNDATION,

Plaintiff,

v.

PRICEWATERHOUSE COOPERS,  
LLP,

Defendant.

2:00cv684

**Electronic Filing**

Judge David Stewart Cercone  
Phase III

**ORDER OF COURT**

AND NOW this 16<sup>th</sup> day of April, 2007, upon consideration of Plaintiff's Motion to  
take Deposition from Robert Berliner to Perpetuate Trial Testimony Pending Appeal

(**Document No. 225**) and Defendant's response thereto,

IT IS HEREBY ORDERED that the motion is **DENIED**.

s/ David Stewart Cercone  
David Stewart Cercone  
United States District Judge

cc: James Jones, Esquire  
Laura E. Ellsworth, Esquire  
Laura A. Meaden, Esquire  
John G. Unice, Esquire  
JONES DAY  
One Mellon Center, 31st Floor  
Pittsburgh, PA 15219

Douglas A. Campbell, Esquire  
Stanley E. Levine, Esquire  
Campbell & Levine  
1700 Grant Building  
Pittsburgh, PA 15219

Richard B. Whitney, Esquire  
J. Kevin Cogan, Esquire  
Jones Day Reavis & Pogue  
North Point

901 Lakeside Avenue  
Cleveland, OH 44114

David S. Torborg, Esquire  
Jones Day Reavis & Pogue  
51 Louisiana Avenue, NW  
Metropolitan Square  
Washington, DC 20001

Joseph F. McDonough, Esquire  
Robert D. Finkel, Esquire  
James R. Walker, Esquire  
Manion, McDonough & Lucas  
600 Grant Street, Suite 1414  
Pittsburgh, PA 15219

Francis P. Barron, Esquire  
Roger G. Brooks, Esquire  
Antony L. Ryan, Esquire  
Cravath, Swaine & Moore  
825 8th Avenue  
New York, NY 10019-7475

Joseph P. Pohl, III, Esquire  
Mary J. Hackett, Esquire  
REED SMITH LLP  
435 Sixth Avenue  
Pittsburgh, PA 15219